STATE OF SOUTH CAROLINA)	AFFIDAVIT OF SCOTT LINABERRY
)	AND
COUNTY OF RICHLAND)	CERTIFICATE OF AUTHENTICITY

COMES NOW BEFORE ME, Scott Linaberry, who being duly sworn deposes and states the following:

- 1. My name is Scott Linaberry. I am the owner of two business establishments in the Five Points area of Columbia, South Carolina known as "Red Hot Tomatoes" and "Sharky's." I am over the age of eighteen (18) and competent to testify as to the matters contained herein. This affidavit is based on my personal knowledge, information that I believe to be true, and materials kept in the ordinary course of my business.
- 2. On or about the morning of Saturday, November 7, 2009, I met with Mr. Jonathon McCoy pursuant to a subpoena to obtain a copy of video surveillance taken from outdoor security cameras installed at or near the front of Red Hot Tomatoes and Sharky's related to his arrest that occurred on or about the morning of October 17, 2009. Mr. McCoy and I watched the video on several monitors which showed the arrest of him and his friend outside of Sharky's. I made a copy of the video obtained from these two cameras and gave it to Mr. McCoy.
- 3. I also made a copy of the video as requested by an officer of the City of Columbia Police Department.
- 4. The original video is no longer available and has been overwritten due to our customary retention procedure for video surveillance data taken from these cameras.
- 5. A true, accurate and genuine copy of the video surveillance given to Mr. McCoy, and converted onto a DVD, is attached hereto as Exhibit 1 to this affidavit, and constitutes an accurate reproduction of the original. I am unsure if the date and time stamps are visible on the copies of the recordings. Further, the video titled "Sharky's/Red Hot Cameras Arrest" on the DVD does seem to be synchronized with the correct time.

FURTHER AFFIANT SAYETH NOT.

SCOTT LINABERRY

SWORN to and SUBSCRIBED before me this 18th day of 11wrch, 2010

Amanda Halloram (L.S.)
NOTARY PUBLIC for South Carolina

My Commission Expires: 7-19-14

5:10-cv-00132-JFA Date Filed 10/18/12 Entry Number 201-7 Page 2 of 2

DVD

(To be Submitted to Chambers)